

AMEREN TRANSMISSION COMPANY OF
ILLINOIS

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BRIEF ON EXCEPTIONS

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I. EXCEPTION 1: THE PROPOSED ORDER’S CONCLUSION ON THE TRANSMISSION LINE ROUTE SHOULD BE REVISED TO SELECT ROUTE A

The Proposed Order finds that Route B with “KCI’s Alternate 1 modification¹ is the least cost route when all costs and benefits are taken into account.” (ALJPO at 39.) However, this conclusion is not consistent with the record in this case. While it is true that ATXI can construct Route B if ordered to do so, Route A remains the preferred route.

The record shows:

- that Route A is the shortest and least cost route;
- requires the least right-of-way;
- requires the fewest crossings of existing infrastructure;
- impacts the fewest landowners and parcels;
- parallels the greatest length of existing right-of-way and opportunities;
- impacts the least agricultural land, including designated prime farmland;
- is not within 0.5 miles of a known occurrence of any listed species;
- has the least impact to wetlands, including forested wetlands;
- crosses the fewest streams;
- and has no National Register of Historic Places sites within 1.5 miles. (ATXI

Init. Br. at 19.)

Staff witness Mr. Rockrohr concurs with ATXI that Route A is superior to Route B. (ICC Staff Ex. 1.0(R) at 10.) Particularly when comparing Routes A to B, Mr. Rockrohr notes Route A crosses 48 fewer parcels, involves 19 fewer landowners, requires 112.7 fewer acres of easement area, is less costly to construct, parallels Interstate 74 for a greater distance, and is

¹ Throughout the case, this modification has been referred to as “Ramp Alt 1.”

wash in terms of reduced proximity to the line using the 150-300 foot measure. (*Id.* at 10; ICC Staff Ex. 2.0 at 12.)

The Proposed Order correctly acknowledges many of these factors—for example, Route A is approximately \$6 million less costly than Route B, and the Proposed Order correctly recognizes that Route A is less expensive. (ALJPO at 11, 19.) The Proposed Order, however, fails to appropriately consider the record with respect to environmental impacts, presence of existing corridors, and visual impact in finding that Route B with Ramp Alt 1 is the least cost route. As shown in the table below, when the conclusion on these three factors is revised as discussed in this brief, Route A, modified or not, is superior to Route B. The Proposed Order should be modified accordingly.

CRITERIA	PREFERRED ROUTE
Length of the line	Route A
Difficulty and cost of construction	Route A
Difficulty and cost of operation and maintenance	None
Environmental Impacts	Route A
Impacts on Historical Resources	None
Social and Land Use Impacts	Route B
Number of Affected Landowners and Other Stakeholders and Proximity to Homes and Other Structures	Route B with KCI Alt. 1
Proximity to Existing and Planned Development	None
Community Acceptance	None
Visual Impact	None
Presence of Existing Corridors	Route A

A. The Proposed Order does not give sufficient weight to the lower cost of Route A

The Proposed Order finds that Route A is the preferred route when considering cost and difficulty of construction. (ALJPO at 18-19.) The Proposed Order acknowledges that “simply in terms of numbers, Route A . . . appears to be the least expensive to construct” – and is in fact \$8 million less than Route B. (*Id.* at 18.) Mr. Rockrohr concurs with ATXI that Route A is superior to Route B. (ICC Staff Ex. 1.0(R) at 10.) Mr. Rockrohr concludes that Route A “appears [] to be the least-cost available route,” stating that “Route A . . . is superior to Route B because Route A,” among other factors, is “less costly to construct.” (*Id.* at 9-10, 13.)

While it is true that “least cost” does not necessarily mean lowest dollar cost route, in this particular case, and given the close balancing of the other routing factors, the dollar cost difference between Route A and Route B is important. Giving the lower cost of Route A sufficient weight, coupled with the majority of the relevant criteria strongly favoring Route A as discussed below, should lead the Commission to select Route A over Route B.

B. The Proposed Order failed to appropriately consider the record with respect to the presence of existing corridors

The Proposed Order erroneously concludes the proposed routes “to be equivalent in regards to presence of existing corridors.” (ALJPO at 38.) But this is not the case. Route A follows the most significant existing corridor available, Interstate 74, for the majority of its length. Use of Route A is therefore consistent with prior Commission approval of routing paralleling major roads and highways. *See Ill. Power Co.*, Docket 06-0706, Order, at 54 (Mar. 11, 2009) (approved a route that is closer to more existing roads, including Interstate 80.); *Ill. Power Co.*, Docket 06-0706, Order on Reopening at 10-12 (June 23, 2010) (approved a route paralleling state road because physical access to the location makes construction and access easier, and easier and less costly to operate and maintain); *Ameren Transmission Co. of Ill.*,

Docket 12-0598, Second Order on Reh'g at 49 (Feb. 20, 2014) (approved a route along Highway 51 because it facilitates access for the majority of its length.) The benefits in using an interstate corridor for transmission line are self-evident. The Proposed Order does not explain why use of a similar corridor here is not appropriate when in previous cases it was.

The record evidence shows that Route A is the shortest route across the Project area and nearly 71% of Route A makes use of an existing interstate corridor. (ATXI Ex. 8.2 (Rev.)(Part 1 of 2) at 21, 23.)

The Proposed Order notes “there is testimony that the placement of structures 7-10 feet within a field is more disruptive than using other existing corridors.” (ALJPO at 38.) But the Proposed Order ignores the fact that Route B parallels Highway 150, and will require a similar or greater offset. (ATXI Ex. 6.0 (Rev.) at 5.) And it ignores the fact that the portion of Route B that does *not* utilize existing corridors, and cuts cross-country, is almost double that of Route A (15.6 miles compared to 8.7 miles). (ATXI Ex. 8.2 (Rev.)(Part 1 of 2) at 23.) Adopting Ramp Alt 1 does not change this fact as it only swaps field or property lines with paralleling Interstate 74. And, as the Proposed Order acknowledges, approximately 40% of Route A’s right-of-way overlaps the existing Interstate 74 easement area, thereby requiring the least acreage of new right-of-way. (ALJPO at 38.) In sum, the evidence shows Route A is the least disruptive route and its utilization of existing corridors favors its adoption. These factors contradict the conclusion that Routes A and B are equivalent.

C. The Proposed Order failed to appropriately consider the record with respect to environmental impact of the routes

The Proposed Order erroneously concludes that Route B has the least environmental impact. (ALJPO at 22.) First, the Proposed Order ignores the record evidence that both the

United States Fish and Wildlife Service (USFWS) and the Illinois Historic Preservation Agency (IHPA) prefer Route A to Route B. (ATXI Ex. 8.2 (Appendix M) at 9, 12.)

Second, the Proposed Order overlooks the larger impact Route B will have on forested wetlands. There is a distinction between forested areas and forested wetlands because the removal of trees alone does not necessitate any additional permitting measures, but removal of forested wetlands will. (ATXI Ex. 8.2 (Rev.)(part 1 of 2) at 7; (Part 2 of 2) at 8.) Requiring permits to remove forested wetlands places a higher environmental value on those areas than forested areas alone. And the record shows that Route B impacts nearly seven times the amount of forested wetlands than Route A (1.4 acres compared to 0.2 acres). (ATXI Ex. 8.2 (Rev.)(Part 2 of 2) at 8-9.)

Confusingly, the Proposed Order also finds that tree clearing is the most significant detriment to using Ramp Alt 1 from an environmental perspective, yet inexplicably includes the Ramp Alt 1 modification when adopting Route B. (ALJPO at 22, 39.)

Finally, there is no basis to conclude that tree clearing along Interstate 74 creates a detrimental noise impact. The Proposed Order finds “The presence of trees and other vegetation can help reduce the amount of noise in an area.” (ALJPO at 22.) But no witness testified to a general proposition that the presence of trees and other vegetation can help reduce the amount of noise in an area. Although Ms. Tomlinson and other Intervenors stated in conclusory fashion that removal of trees on their properties would increase noise on their properties from existing highways, these are specific concerns related to their specific properties in this case. There was no showing that removal of noise buffers is an issue of general applicability. Moreover, the record is devoid of study or analysis (1) establishing current noise levels from the highway or (2) comparing those current noise levels to expected noise levels after removal of the trees. There

was no study or analysis that there will in fact be a material increase in noise from its current level from the interstate when trees are removed. As a result, there is no basis for finding that this is a detriment to Route A.

D. Neither Route A nor Route B will have a greater visual impact

The Proposed Order finds that visual impact favors Route B over Route A because Route A “will require removal of a substantial portion of the trees along [I-74].” (ALJPO at 36.) The record shows, however, that Route A only requires removing four more acres of trees than Route B. (ATXI Ex. 8.2 (Rev.)(Part 2 of 2) at 3.) Moreover, Route A utilizes an existing corridor that is already visually impacted (by Interstate 74). But as the Proposed Order acknowledges, “there are objections to the visual impact of the transmission line regardless of which route is adopted.” (ALJPO at 36.) Thus, neither Route A nor Route B is favored under this criterion.

E. Exceptions Language

Based on the foregoing discussion in Sections I.A – I.C, ATXI proposes the following exceptions language to the Proposed Order at Section V “Least-cost and the proposed line routes”, at 20-22, Subsection D, “Environmental Impacts,” at 34-36, Subsection J, “Visual Impacts”, at 36-38, Subsection K “Presence of Existing Corridors”, and 39-40, Subsection L, “Selected Route”:

V.D. Environmental Impacts

From an environmental perspective, perhaps the greatest impact any of the routes have is on the area of ~~forest~~ forested wetlands being destroyed. Route B, without any modifications, impacts approximately the same amount of forested acres (67) as Route A (71). ~~But Route B impacts almost seven times the amount of forested wetlands as Route A does. the least amount of forest (67 acres). The unmodified Route A impacts 71 acres of forest. Although KCI's Alternate 1 modifications to Routes A and B are essentially identical, ATXI indicates that the modified Route A impacts 86 acres of forest and the modified Route B impacts 91 acres. The source of this discrepancy is unclear. Whether the unmodified Route A's greater impact on forest is mitigated by its lesser impact on streams is~~

~~unclear in light of PCI witness Randall Moon's testimony. Mr. Moon testifies that many of the streams that Route B is said to impact are likely just drainage ditches. The possible existence of the Franklin Ground Squirrel along Route B must also be weighed against the definite clearcutting of more forest along Route A. Overall, the Commission finds that Route B Route A has the least environmental impact and is therefore the preferred route under this criteria.~~

V.J. Visual Impacts

There are objections to the visual impact of the transmission line regardless of which route is adopted. Upon considering all of the arguments, the Commission finds that there is little preference between Route A and Route B regarding visual impact. ~~the transmission line will have the most visual impact if it is placed on Route A. For the majority of its length, Route A parallels I 74 and its selection will require removal of a substantial portion of the trees along this heavily traveled roadway. Accordingly, consideration of the visual impact criterion favors the adoption of Route B.~~

V.K. Presence of Existing Corridors

The Commission finds ~~the routes to be equivalent in regards~~ Route A to be the superior route with respect to presence of existing corridors. ATXI has designed both routes to make substantial use of existing corridors. A slightly higher percentage of Route A makes use of existing corridors than Route B uses. There is a benefit to Route A in paralleling I-74 because doing so allows a portion of the transmission easement to overlap the I-74 right-of-way. ~~The evidence shows that the structures on Route A, paralleling I 74, will be placed 7 to 10 feet outside the I 74 easement. There is testimony that the placement of structures 7 to 10 feet within a field is more disruptive than using other existing corridors. As a result, the Commission concludes that although a nominally slightly higher percentage of Route A parallels a corridor, the evidence is inconclusive as to whether this presents a benefit or a detriment. The~~ the presence of existing corridors ~~does not favors~~ either Route A or Route B.

V.L. Selected Route

All of the parties agree that the proper determination of least cost is not simply a financial analysis, but involves a comprehensive consideration and balancing of the overall costs and externalities against the benefits of the route proposals. Although neither Staff nor any of the intervenors proposed a new end-to-end route for the SRP that will connect the Sandburg and Fargo Substations, a handful of modifications to ATXI's Route A and Route B have been offered,

though only the Zelnio and Ramp Alt 1 are currently supported by intervenors. As discussed above, the separate evaluations of each criterion identify the following preferences among the routing options:

CRITERIA	PREFERRED ROUTE
Length of the line	Route A or Route A with KCI Alt. 2
Difficulty and cost of construction	Route A with Zelnio and KCI Alt. 1
Difficulty and cost of operation and maintenance	None
Environmental Impacts	Route B <u>Route A</u>
Impacts on Historical Resources	None
Social and Land Use Impacts	Route B
Number of Affected Landowners and Other Stakeholders and Proximity to Other Structures	Route B with KCI Alt. 1
Proximity to Existing and Planned Development	None
Community Acceptance	None
Visual Impact	Route B <u>None</u>
Presence of Existing Corridors	None <u>Route A</u>

Having reviewed the evidence of record, and upon consideration of all relevant route selection criteria as described by the parties, the Commission finds that the criteria described above favor ATXI's Route A (with Mr. Zelnio's modification) as the least-cost route when all costs and benefits are taken into account~~Route B over Route A. The Commission appreciates the parties' agreement to construct Route A as modified as Mr. Zelnio proposed and finds the added cost reasonable in this circumstance. With respect to the Ramp Alt 1 modification, the Commission finds the higher cost, increased difficulty constructing and maintaining the Transmission Line, and movement away from utilizing Interstate 74 existing corridor, weigh against its adoption. Moreover, the Commission notes that Route B with KCI's Alternate 1 modification affects the fewest number of landowners and stakeholders within 500 feet of the centerline and no landowner impacted by KCI's Alternate 1 modification has objected to it. Therefore, the Commission finds that the Route B with KCI's Alternate 1 modification is the overall least cost route when all costs and benefits are taken into account.~~

II. EXCEPTION 2: THE PROPOSED ORDER’S APPROVAL OF THE PROJECT CONDITIONED UPON *CONSTRUCTION* OF MEC’S² PORTION OF MVP16 IS NOT SUPPORTED BY THE RECORD

The Proposed Order’s conclusion that approval of the Project should be conditioned upon approval *and construction* of MEC’s portion of MVP16 (pending certificate approval in Docket 14-0494) should be revised because it is a potentially nonsensical requirement and is not supported by the record. (ALJPO at 9.) Although Mr. Rockrohr proposed “the Commission’s approval should be conditional: specifically, that MEC also receives *approval* of its request for a CPCN for the northern 32-mile segment,” (ICC Staff Ex. 1.0(R) at 15), neither Mr. Rockrohr nor any other witness proposed that approval of the Project should be conditioned upon *construction* of MEC’s portion of MVP16. Thus, there is no record basis for this conclusion.

Taken literally, the Proposed Order would mean that ATXI cannot begin construction of the Project until MEC has completed construction of its portion of MVP16 (currently estimated for December 2016). (MidAmerican Ex. 1.0 at 6.) Even if a certificate was granted to ATXI today, ATXI would have to sit around waiting for MEC to finish construction before ATXI could even start construction. This is surely not what the Proposed Order intends or an outcome the Commission should endorse.

The 2018 in-service date for the 345kV transmission line was established during the MVP development process. (ATXI Ex. 2.0N at 6.) ATXI’s construction schedule estimates over three years from the date of a Commission order until the in service date of November 2018. (ATXI Ex. 4.3.) If that schedule were put on hold until December 2016 when MEC was done, three years would push ATXI’s in service date well past the planned date of 2018.

² MidAmerican Energy Company (MEC).

The Proposed Order appears to rely only on a single statement made by SP Parties in its initial brief, not in their testimony (or *any* testimony in this case). SP Parties' initial brief argues with respect to MEC's application, "the relief sought by ATXI should be explicitly conditioned on such approval *and construction*." (SP Parties Init. Br. at 3; emphasis added.) However, as indicated, conditioning approval on completion of "construction" was not proposed by any witness and is not supported by the evidence. It would produce an absurd result. While ATXI does not object to the language that conditions grant of its certificate on the grant of a certificate for MEC, the reference to "and construction" should be deleted where it appears in the Proposed Order.

Therefore, ATXI proposes the following exceptions language to the Commission Conclusion of the Proposed Order at Section IV at 9, "Need for Proposed Facilities and Development of a Competitive Electricity Market" and Section IX at 42-44, "Findings and Ordering Paragraphs":

IV.D. Commission Conclusion

The Commission has considered the record in this proceeding and finds that the proposed 345 kV transmission line, as part of MVP16, will promote the development of an effectively competitive electricity market that operates efficiently and is equitable to all customers. The Commission agrees that a 345 kV transmission line, the expansion of the Fargo Substation, and construction of the Sandburg Substation are necessary to address transmission and reliability needs in an efficient and equitable manner and will benefit the development of a competitive electricity market. The Commission therefore generally concludes that the record supports a finding that the SRP is necessary and appropriate under Section 8-406.1(f)(1). The approval of the SRP is conditioned on approval ~~and construction~~ of the MEC portion of MVP16 in Docket No. 14-0494.

IX. FINDINGS AND ORDERING PARAGRAPHS

- (11) pursuant to 8-406 of the Act, the commission finds that issuance of the Certificate of Public Convenience and Necessity should be conditioned

upon approval ~~and construction~~ of the MEC portion of MVP16 in Docket No. 14-0494;

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that upon approval ~~and construction~~ of the MidAmerican Energy Company portion of MVP16 in Docket No. 14-0494, a Certificate of Public Convenience and Necessity is hereby issued to Ameren Transmission Company of Illinois pursuant to Section 8-406 of the Public Utilities Act, and that said certificate shall read as follows:

III. EXCEPTION 3: THE PROPOSED ORDER DIRECTIVE REGARDING NOISE IMPACTS IS NOT SUPPORTED BY THE RECORD

The Proposed Order finds “The presence of trees and other vegetation can help reduce the amount of noise in an area” and directs ATXI to “consider the impact of [proposals to remove such a noise buffer] on those in an area.” (ALJPO at 22.) The record shows ATXI did consider if it is possible that removal of dense vegetation along Interstate 74 would increase road noise. (ATXI Ex. 22.0 at 13-14.) ATXI witness Mr. Koch testified that the possibility of increased road noise was considered during the routing process. (*Id.*) Even with any increased road noise, Route A remains the best route for the Project. (*Id.*) Although Ms. Tomlinson asserts that removal of trees near her property would increase the current noise level on her property from the nearby interstate highway, there is no basis in the record to conclude that there is a concern with noise impacts sufficient to warrant a general directive to ATXI to consider the impact (if any) of the removal of noise buffers. Nor has legal or permitting requirement to consider noise impacts been identified. As such, this directive should be removed from the Proposed Order.

Therefore, ATXI proposes the following exceptions language to the Proposed Order at Section V at 20-22, “Least-cost and the proposed line routes,” Subsection D, “Environmental Impacts”:

V.D. Environmental Impacts

~~The Commission will also take this opportunity to advise ATXI that in future dockets of this nature, it would be prudent to consider an externality raised by Ms. Tomlinson. Specifically, Ms. Tomlinson discussed the resulting noise impact that clearcutting trees would have on residences. The presence of trees and other vegetation can help reduce the amount of noise in an area. To the extent that ATXI proposes to remove such a noise buffer in the future, it should consider the impact of that action on those in an area.~~

IV. EXCEPTION 4: THE PROPOSED ORDER'S DIRECTIVE TO MITIGATE LANDOWNERS' CONCERNS THROUGH POLE PLACEMENT SHOULD BE CLARIFIED

As the Proposed Order correctly notes, ATXI is committed to work with landowners to mitigate the impact of the Spoon Rivers Project on their interests, and this includes working with landowners regarding pole locations on their property. So, ATXI does not oppose the Proposed Order's directives in that regard. ATXI proposes to include additional language in the Proposed Order's discussion of the "Selected Route," however, to clarify the scope of ATXI's authorization to work with landowners to mitigate the impact of the transmission line on their properties. The additional language is necessary so that ATXI is not faced with a situation where a landowner who does not want the line on their property could seek to rely on the order's language to demand that the line be located on somebody else's property, even if that other landowner would not otherwise be affected and/or does not agree. For example, the requirement that ATXI "cooperate with landowners by, to the extent feasible, adjusting the location of poles on a landowner's property to mitigate a the landowner's concerns about proximity to field entrances, fences, or other structures to assure farm equipment can reasonably maneuver around it" could be read to require ATXI to relocate pole onto another landowner's property, if the first landowner so requested. The additional language ensures that the relocations are on the

landowner's own property or based on agreement of the affected landowners, and that such adjustments are consistent with the Commission's approved route.

Therefore, ATXI proposes the following exceptions language to the Proposed Order at Section V at 40, "Least-cost and the proposed line routes," Subsection L, "Selected Route":

V.L. Selected Route

The Commission acknowledges the burden that the transmission line will be for the landowners. It commends ATXI's commitment to work with landowners to mitigate the impact of the SRP on their interests. In keeping with that commitment and to minimize the inconvenience to landowners, ATXI should make every attempt to coordinate with each landowner on placement of the poles. It should adjust pole placement on a landowner's property where feasible and appropriate to address specific landowners concerns. During the detailed line design phase ATXI shall cooperate with landowners by, to the extent feasible, adjusting the location of poles on a landowner's property to mitigate a the landowner's concerns about proximity to field entrances, fences, or other structures to assure farm equipment can reasonably maneuver around it. When feasible and consistent with the Commission approved route location, or by agreement of affected landowners, ATXI should make similar adjustments for other similar pole placement concerns, such as to avoid placement of a pole inside the arc of an existing or soon-to-be-constructed center pivot irrigation system. ATXI shall remediate compacted soil and take other such remedial action as is described under its AIMA with the Illinois Department of Agriculture.

V. EXCEPTION 5: THE PROPOSED ORDER'S FINDINGS ON THE LAND RIGHTS NEEDED TO CONSTRUCT AND MAINTAIN THE TRANSMISSION LINE SHOULD BE CLARIFIED TO EXPRESSLY APPROVE ATXI'S PERMANENT EASEMENT WIDTH

The Proposed Order makes a passing reference to the fact that ATXI's proposed permanent easements are 150 feet in width, but does not include Commission findings on the width of approved easements. (*See* ALJPO at 10.) ATXI proposes that the Order include language specifying the width of the approved permanent and temporary easements necessary to construct the Project.

ATXI demonstrated that it may require four different types of easement and access rights in order to construct, operate, and maintain the Project. First, ATXI showed that a 150-foot wide easement is the typical right-of-way for a 345 kV transmission line of this design, and indeed, is the minimum width necessary to construct and safely maintain a 345 kV transmission line. ATXI therefore requires 150-foot wide permanent easements throughout the length of the Project. (*See* ATXI Exs. 6.0 at 4; 7.0 at 6.) Second, ATXI explained that it may require temporary construction easements, if its contractors need to set up equipment outside the permanent easement area during construction, and that these temporary easements would be up to 150 feet in width, in addition to the permanent easement area. (ATXI Ex. 7.0 at 6.) Third, ATXI stated that it requires access to the easement area, and that access rights may necessary if terrain and other factors make access to the transmission line over the permanent easement infeasible. (*Id.*) Fourth, ATXI explained that it may require access to vegetation adjacent to the permanent easement area in order to perform vegetation management and ensure safe operation of the transmission line. (*Id.*) No party disputed ATXI's need for these easement and access rights, or the scope of such rights. Such express language has been included in previous Commission orders granting certificates for electric transmission lines. *Ameren Ill. Co.*, Docket 13-0115, Order at 16-18 (Sept. 4, 2013); *Ameren Ill. Co.*, Docket 12-0154, Order at 16-18 (Sept. 6, 2012); *Ameren Ill. Co.*, Docket 12-0080, Order at 24-26 (Aug. 15, 2012).

Therefore, ATXI proposes the following exceptions language to the Proposed Order at Section V at 39-40, "Least-cost and the proposed line routes," Subsection L, "Selected Route" and Section IX at 42-44, "Findings and Ordering Paragraphs":

V.L. Selected Route

Finally, with regard to easements, ATXI demonstrated that it will need 150-foot permanent easements to construct the Transmission Line. This is the typical right-of-way for a 345 kV transmission line of this design and is the minimum width needed to construct and safely maintain the transmission line. The Commission also finds that ATXI has demonstrated that it is possible that ATXI will require construction easements if the construction contractor needs to set equipment outside the 150-foot right-of-way during construction. If such easements are needed, they will be up to 150 feet in width, in addition to the 150-foot wide permanent right-of-way. ATXI also explained that in order to operate and maintain the line after it is constructed, ATXI requires access to the easement area. This may require separate access rights if terrain and other factors make access over the 150-foot permanent easement not feasible. The Commission understands that separate access rights would typically include rights of ingress and egress across a landowner's property that would allow ATXI's personnel or agents to reach the easement on which the line is located for purposes of line repair or maintenance. ATXI states it may also require access to vegetation adjacent to the permanent easement area for purposes of vegetation management needed to ensure safe operation of the line.

As the Commission has found the Project, including the proposed 345 kV line is necessary, the Commission authorizes ATXI to acquire 150-foot wide permanent easements, including access rights for ingress, egress, and vegetation management, to accommodate construction and operation of the Project. ATXI is also authorized to acquire temporary construction easements, as necessary, of up to and including 150 feet in width in addition to the permanent easements to construct the proposed transmission line.. ATXI shall make every effort to acquire easements and any land rights needed for the Project through a negotiated purchase.

IX. FINDINGS AND ORDERING PARAGRAPHS

- (13) the easement widths for the 345 kV line as proposed by ATXI, including 150 foot permanent easements and temporary construction easements, are reasonable and appropriate and should be approved.

VI. OTHER CORRECTIONS

On pages 10-11 of the Proposed Order, ATXI proposes clarifying language to accurately reflect the parties' positions on routing. In its initial brief, Staff explained it was no longer

recommending approval of Mr. Rockrohr's Attachment C modification because "no affected landowners expressed support for it." (ICC Staff Init. Br. at 10.) In their initial and reply briefs, the SP Parties did not recommend approval of Mr. Steven Ramp's proposed modification identified as Ramp Alt 2), nor did they recommend the "simple jog" that would cross back and forth across Interstate 74 to avoid the property of another Intervenor—Mr. and Mrs. Shipley. (See generally SP Parties Init. Br.; SP Parties Reply Br.)

Therefore, ATXI proposes the following exceptions language to the Proposed Order at Section V at 10-11, "Least-cost and the proposed line routes."

V. LEAST-COST AND THE PROPOSED LINE ROUTES

The Commission's decision will result from a balancing of these 12 criteria to the extent that they are relevant to the proposed facilities and any other relevant criteria presented by the parties, and none is inherently more important than the next. (Id.) The Commission will consider these criteria in the context of ATXI's Routes A and B, ATXI's Route Connector between Routes A and B, Staff's modification to Route A, Mr. Zelnio's modification to Route A, and KCI's (Ramp) modifications to Routes A and B. Route A primarily follows Interstate 74 ("I-74") with the exception of each end of the route and a few deviations away from I-74 near a rest area, communication tower, and residences. Route B follows Route A from the west until approximately one mile west of the Spoon River, where Route B diverges. Route B continues east primarily following local roads, U.S. Highway 150, and half section lines until it turns almost directly south towards the Fargo Substation site. Each of the proposed routes are depicted in Appendix A to ATXI's Initial Brief and warrant serious consideration by the Commission. The Commission notes that at the time of briefing, Staff no longer recommended the Attachment C modification and SP Parties no longer recommended Ramp Alt 2 and the proposed jog.

VII. TECHNICAL CORRECTIONS

1. On page one of the Proposed Order, ATXI proposes clarifying language referencing the substations that are part of the project.

I. PROCEDURAL HISTORY

On August 21, 2014, Ameren Transmission Company of Illinois ("ATXI") filed with the Illinois Commerce Commission ("Commission") a petition seeking a Certificate of Public Convenience and Necessity ("CPCN") pursuant to Section 8-406 of the Public Utilities Act ("Act"), 220 ILCS 5/1-101 et seq., authorizing ATXI to construct, operate, and maintain approximately 40 miles of new 345-kilovolt ("kV") electric transmission line in Peoria and Knox Counties. ATXI also seeks an order authorizing or directing the construction of the transmission line, along with a new substation at Galesburg and expanded substation facilities at Fargo, which together comprise the "Spoon River Project," ~~and substations~~ pursuant to Section 8-503 of the Act. ATXI does not at this time seek authority to take property under Section 8-509 of the Act.

2. On pages 43-44 of the Order, ATXI proposes that the Findings and Ordering paragraphs be clarified to specifically indicate that the approved route is shown on the map (Appendix A) and legally described in Appendix B. ATXI also proposes to add additional language to the Certificate for the interconnections and modifications to Ameren Illinois' electric system that are required to connect the Sandburg Substation and fully integrate MVP16 with the area transmission system. (ATXI Exs. 2.0N at 5; 4.0 at 11.) This additional language is consistent with prior orders. *Ameren Ill. Co.*, Docket 12-0154, Order at 18 (Sept. 6, 2012); *Ameren Ill. Co.*, Docket 12-0080, Order at 26 (Aug. 15, 2012); *see also Ameren Transmission Co. of Ill.*, Docket 12-0598, Order at 134 (Aug. 20, 2013) *Ameren Transmission Co. of Ill.*, Docket 12-0598, Second Order on Reh'g at 84 (Feb. 20, 2014).

IX. FINDINGS AND ORDERING PARAGRAPHS

- (5) the transmission line route for the SRP between the existing Fargo Substation near Peoria, Illinois and proposed Sandburg Substation near Galesburg, Illinois should be approved along the route identified in the prefatory portion of this Order and as shown on, and legally described in, the Appendices attached hereto;

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

IT IS HEREBY CERTIFIED that the public convenience and necessity require (1) construction, operation, and maintenance by Ameren Transmission Company of Illinois of a 345-kilovolt electric transmission line over the route approved in Docket No. 14-0514, as shown on the Appendices map included in Appendix A and legally described in Appendix B attached hereto, together with such related facilities, land rights, ties to adjacent transmission lines, or repairs, as are or may become reasonably necessary to promote the public convenience and necessity and to secure adequate service; as well as new and expanded substation facilities at locations approved in Docket No. 14-0514, and (2) the transaction of an electric public utility business in connection therewith, all as herein before set forth.

IT IS FURTHER ORDERED that the transmission line route, as legally described on Appendix B and the location of which is shown on Appendix A, is hereby approved, and the width for the necessary easements on such route shall be as set forth in the prefatory portion of this Order.

IT IS FURTHER ORDERED that pursuant to Section 8-503 of the Act, Ameren Transmission Company of Illinois is authorized to construct the new 345-kilovolt electric service line and the new and expanded substation facilities as approved by the Commission in the prefatory portion of this Order.

3. On Page 20 of the Proposed Order, ATXI proposes the following correction:

V.C. Difficulty and Cost of Operation and Maintenance

While it stands to reason that a shorter route will have less right-of-way and facilities to maintain, in this instance the shorter Route A also appears to run over more undulating land than Route B. Even with the Commission's understanding that ATXI will ~~not~~ be responsible for maintaining the vegetation within the I-74 right-of-way, the Commission cannot say that either route is preferable. The Commission therefore finds no significant difference in the difficulty and cost of operation and maintenance among the proposed routes.

VIII. CONCLUSION

For the reasons explained above, the Commission should adopt Ameren Transmission Company of Illinois' recommended exceptions to the Proposed Order when it issues its Final Order in this proceeding.

Dated: August 3, 2015

Respectfully submitted,

Ameren Transmission Company of Illinois

/s/ Albert Sturtevant

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CERTIFICATE OF SERVICE

I, Albert Sturtevant, an attorney, certify that on August 3, 2015, I caused a copy of the foregoing *Ameren Transmission Company of Illinois' Brief on Exceptions* to be served by electronic mail to the individuals on the Commission's Service List for Docket 14-0514.

/s/ Albert Sturtevant

Attorney for Ameren Transmission
Company of Illinois